

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Clair Bell, Cabinet Member for Adult Social Care and Public Health

DECISION NO:

20/00033

For publication

Key decision: YES

Affects more than two electoral divisions.

Title of Decision: REVIEW OF KENT COUNTY COUNCIL'S AND KENT AND MEDWAY CCG'S INTEGRATED COMMISSIONING FRAMEWORK, COVERING HEALTH SERVICES, SOCIAL CARE AND COMMUNITY SUPPORT FOR PEOPLE WITH A LEARNING DISABILITY AND AUTISTIC PEOPLE

Decision: As Cabinet Member for Adult Social Care and Public Health, I propose to:

- a) **ENTER** into such agreements that are necessary with the Kent and Medway Clinical Commissioning Group (CCG) and other local NHS organisations to create a new strategic planning and delivery framework for Kent's residents with a learning disability and autistic people; and
- b) **DELEGATE** authority to Corporate Director of Adult Social Care and Health to finalise and approve the formal agreements to establish the new framework.

Reason(s) for decision: In 2015/16 Kent County Council and the seven NHS Clinical Commissioning Groups (CCG) covering Kent and Medway, agreed to establish an integrated and partner strategic planning, commissioning and delivery framework covering healthcare, council social care and other support for Kent's residents with a learning disability and autistic residents. This framework is governed by an agreement between Kent County Council and Kent and Medway CCG, agreed in accordance with the provisions of section 75 of the NHS Act 2006. This framework includes an Alliance Partnership comprising the council's adults social care service and the two NHS provider trusts that deliver specialist community health care for people with a learning disability and autistic people. This includes Kent Community Health NHS Foundation Trust (KCHFT) and Kent and Medway NHS and Social Care Partnership Trust (KMPT).

The framework covers community delivered services for people living in nursing and residential care; residents living with carers and their families and people living in their own homes or who live in specialist housing with support. The arrangement also covers specialist healthcare and support for residents with a learning disability and autistic people with highly complex needs, including Kent residents admitted to specialist hospitals located both in and outside Kent.

A review of the arrangements summarised above, commissioned by Kent County Council but jointly agreed with Kent and Medway CCG identified challenges with how the council and NHS plan together to design and deliver effective solutions that can achieve strong and improving health and well being outcomes for Kent's residents with a learning disability and autistic people.

The challenges identified:

- Kent's current Learning Disability and Autism (LD&A) governance and programme management framework is:

- Confusing with several bodies duplicating effort and decision making and ineffectual structural relationships between each body
- Not competent to develop and implement a whole system strategy and strategic commissioning programme
- Not fully sighted or driven by the priorities, challenges and resource pressures of all partner and is largely reactive to short term issues and targets
- Less than clear about how the voices of learning disabled and autistic people impact or affect key decisions, with a deficient approach to coproduction and system codesign
- Improvement is required in the effectiveness of whole system commissioning and programme management
- Significant improvement is needed in whole system accountability and performance reporting, as investment decisions lack clarity on why and how they were determined and there is a lack of effective data and narrative to demonstrate the outcomes that are being achieved
- Improvement is also needed in the alignment, commissioning and coordination of service delivery across adults, children and young people and complex needs to ensure:
 - Effective and seamless care pathways
 - Person centred and codesigned support;
 - Outcome driven delivery;
 - Stronger market management and micro-commissioning, to address service deficits and to support innovation to address changing needs and expectations.

Through extensive engagement and coproduction of the solutions to address the challenges above, the proposals summarised below emerged through a clear consensus of council and NHS leaders, frontline professionals and health clinicians and critically through face to face engagement and workshops with people with a learning disability, autistic people and carers supported by advocates and advocate organisations.

Summary proposals

The establishment of:

- A single senior level strategic leadership body of equal partners across the local authority, CCG, user and carer voice and system provider
- A joint LD&A strategic commissioning and programme management unit, supporting whole system planning, development and change management and the function of the strategic leadership body
- A trusted system provider based on an effective NHS and council partnership, delegated to deliver and micro commission all LDA health and social care support

Financial Implications: There is ongoing work to consider the financial impact of the proposed model. Work is also ongoing on the design of robust financial systems and reporting, which will support effective joint strategic planning and the delivery of key council and NHS workplans, outcomes, priorities and investment decisions. The expectation is that the proposed model will not result in any significant additional funding or investment commitment from the council. This includes no expectation of any significant additional staffing or other resource requirements, with the proposed model supported through existing posts and management systems. Inherent to the proposed Learning Disability and Autism whole system approach, developed through the model, is cross council and NHS planning of all financial resources and investments to achieve improved cross partner horizon planning, risk management and benefit realisation. This includes the planning of council social care and NHS health budgets. This approach will maximise the investment potential of council and NHS funding, to deliver a significantly improved experience and service delivery for people with a learning disability and autistic people, as well as achieving significant improvement in well-being and health outcomes. However, it is important to note that the final decisions on all

strategic, funding and investment proposals, which arise from the Learning Disability and Autism strategic leadership body and which affect council spending plans, priorities and budgets, will be made by cabinet and council members in accordance with the council's constitution and legal framework. The financial planning workstream of the review is being led through the Learning Disability and Autism Section 75 Finance Sub-Group of senior council and Clinical Commissioning Group finance officers. There are also on-going discussions and consultation with the council's Corporate Finance Director and the Clinical Commissioning Group's Chief Finance Officer.

Legal implications: The legal implications of the proposals will be considered through the next phase of the review. This includes considering the implications for existing agreements covering:

- changes needed to section 75 provisions to deliver the proposals and
- the impact on the proposals arising from statutory guidance that affect these provisions.

Advice and guidance addressing these issues is being considered with senior legal and financial leads across Kent and Medway Clinical Commissioning Group and Kent County Council. Their guidance and recommendations will be reflected in the reports seeking final approval of the review proposals, Learning Disability and Autism whole system model and related formal agreements by the council's Corporate Director for Adult Social Care and Health.

Equalities implications: An Equalities Impact Assessment has been completed to assess and determine the impact of the proposals and whether and to what extent they will address key health and well-being inequalities that affect Kent's residents with a learning disability and autistic people.

Cabinet Committee recommendations and other consultation: The proposed decision will be discussed at the Adult Social Care Cabinet Committee on 5 March 2021 and the outcome included in the paperwork which the Cabinet Member will be asked to sign.

Any alternatives considered and rejected:

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

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signed

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date